



Tracking Number TNR171714

**NOTICE OF COVERAGE UNDER THE GENERAL NPDES PERMIT FOR STORMWATER
DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (CGP)**

Tennessee Department of Environment and Conservation
Division of Water Resources
401 Church Street, 6th Floor, L&C Annex
Nashville, Tennessee 37243

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project: **Tommy Cherry Proposed Poultry Houses (4.96 acres)**

Master Tracking Number at the Site: **TNR171714**

Permittee Name: **Tommy Cherry**

Contractor(s): **no contractor**

is authorized to discharge: **storm water associated with construction activity**

from site located at: **2315 Happy Springs Road, Clay County**

to receiving waters named: **tributary to Bean Branch**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in one mile radius: **YES**

Likely presence of threatened or endangered species downstream: **YES**

Additional pollution prevention requirements apply for discharges into waters which TDEC identifies as:

a) impaired: **NO**

b) discharging into Exceptional Tennessee Waters: **NO**

Your coverage under the CGP shall become effective on **April 4, 2013**, and shall be terminated upon receipt of Notice of Termination.



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
COOKEVILLE ENVIRONMENTAL FIELD OFFICE
1221 SOUTH WILLOW AVENUE
COOKEVILLE, TN 38506
PHONE 931-432-4015 STATEWIDE 1-888-891-8332 FAX 931-432-6952

April 4, 2013

Mr. Tommy Cherry, Owner
Tommy Cherry Poultry Houses
2315 Happy Springs Road
Red Boiling Springs, TN 37150

Subject: **NPDES Construction General Permit Tracking No. TNR171714
Tommy Cherry Proposed Poultry Houses
Hermitage Springs, Clay County, Tennessee**

Dear Mr. Cherry:

The Division of Water Resources (the division) acknowledges receipt of the Notice of Intent (NOI) form for the above referenced project. The NOI was received on March 6, 2013. The NOI was submitted to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, etc.

Contractor Information

As of the date this NOI was processed, no contractor was identified on the NOI. A primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, must be identified and must submit an NOI to this office prior to beginning earth clearing operations on site. When submitting the NOI, the contractor should indicate on the NOI form the above referenced permit tracking number.

Storm Water Pollution Prevention Plan (SWPPP)

You have submitted a Storm Water Pollution Prevention Plan (SWPPP) as required by Part 1.4.2 of the CGP. Please note that the division has not performed an engineering review of the SWPPP and does not certify whether the SWPPP adequately provides for the pollution prevention requirements at the site as described in the general permit. The division acknowledges that you have submitted a SWPPP that appears to include the required components of a SWPPP. It is the responsibility of all site operators to design, implement, and maintain measures that are sufficient to prevent pollution at the referenced site, and to remain in compliance with the terms and conditions of the general permit.

Threatened and Endangered Species

The receiving stream for a construction site for which the NOI was submitted has federal or state listed threatened and endangered species in the area, or downstream of your project. Storm water discharges and storm water discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream; or discharges or activities that would

result in a 'take' of a federally listed endangered or threatened fish or wildlife species are not authorized by the general permit. If the division finds that storm water discharges or storm water related activities are likely to result in any of the above effects, the division will deny the coverage under this general permit unless and until project plans are changed to protect the listed species. In addition, discharges from your construction site that result in harm to such species may incur additional fines and penalties from the US Fish and Wildlife Service and/or the Tennessee Wildlife Resources Agency.

We appreciate your attention to the general construction storm water permit and its requirements. We believe this does make a difference to the quality of state waters. If you have any questions, please contact Ms. Greta Hurst at (931) 432-7630 or by e-mail at *Greta.Hurst@tn.gov*.

Sincerely,



William Oakley Hall
Division of Water Resources Manager
Cookeville Environmental Field Office